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CrI.O.P.No.19694 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.19694 of 2025

M Govindarajulu

... Petitioner

Vs.

1. The State

Rep. by Inspector of Police

All Women Police Station

Hosur Police Station, Krishnagiri District

(In Crime No.67 of 2023)

2. J. Raguraman

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to issue suitable direction, directing the trial Court to dispose of the case in Spl.SC.No.22 of 2025 on the file of the learned Sessions Judge, Fast Track Mahila Court of Krishnagiri within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.S.Bharanidharan

For 1st Respondent

: Dr.C.E.Pratap

Government Advocate (CrI. Side)



Crl.O.P.No.19694 of 2025

ORDER

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This Criminal Original Petition has been filed by the petitioner to direct the trial Court to dispose of the case in Spl.SC.No.22 of 2025 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri within a stipulated time that may be fixed by this Court.

2. When the matter came up before this Court on 15.07.2025, this Court had noted that the charge sheet had been filed on 03.12.2023 itself, however, the same was taken on file by the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri, only in the year 2025. Therefore, this Court by order dated 15.07.2025, had directed the Registry to call for reasons along with a status report and the matter was ordered to be listed on 29.07.2025.

3. Accordingly, the learned Session Judge has filed a report date 18.07.2025 stating the reasons for the delay in taking the charge sheet on file, as follows:



WEB COPY



CrI.O.P.No.19694 of 2025

"I submit that, as per the reference cited above, Crime No.67/2023, AWPS, Hosur Police Station, Krishnagiri District, Charge Sheet dated 23.12.2023 filed online before this Court through e-filing portal only on 23.02.2024 by its LTN No.20230001519C0202400003, the same is returned by this Court on 29.02.2024 for the following reasons;

"Signature of the Spl P.P not signed in the Draft Final Report. Surety details not mention in the Charge sheet. 161 of statement to be upload sequentially Ex.(L.W.1 to etc.)".

I further submit that, again the same is resubniitted through e-filling only on 10.02.2025 and returned by this Court on 04.03.2025 for the following reasons;

"1. Correct Court name to be noted in Final Report.

2. U/s.164 CrPC statement not willing, confession, study certificate



WEB COPY



CrI.O.P.No.19694 of 2025

requisition and certificates, letter to CWC and JM No.2, Hosur, Seizure Mahazar ADP opinion to be noted in list of document.

3. Seizure Mahazar not uploaded in Online.

4. U/s.161 CrPC of LW3 dated 21.08.2023 uploaded and enclosed are differ.

5. Victims unwilling letter for U/s. 164 CrPC statement not found with charge sheet to be clarified.

6. In U/s.164 CrPC witness F/o, D/o, S/o to be noted also their name to be noted.

7. LW5 to LW7 statements and Memo of evidence witnesses would speak are differ.

8. LW9 addresses to be noted.

9. In list of document for LW13 noted as further statement, but did not found any further statement of LW13 to be clarified.

10. Victims study certificate requisition letter not enclosed with charge sheet also not uploaded in online.

11. In letter to CWC and Judicial Magistrate No.2, Hosur, Victims name to be verified".

I further submit that, again the same is resubmitted through e-filling only on 12.03.2025 and



WEB COPY



CrI.O.P.No.19694 of 2025

again returned by this Court on 25.03.2025 for the following reasons;

"1. Correct Court name to be noted in Final Report.

2. Victims unwilling letter for U/s.164 CrPC statement not found with charge sheet to be clarified.

3. In U/s.164 CrPC witness F/o, D/o, S/o to be noted also their name to be noted.

4. LW4 Memo of evidence witnesses would speak to be corrected.

5. LW9 address to be noted.

6. In letter to CWC and Judicial Magistrate No.2, Hosur, Victims name to be verified.

7. Resubmitted requisition letter crime number noted is wrong".

I further submit that, again the same is resubmitted through e-filing only on 31.03.2025 and again returned by this Court on 02.04.2025 for the following reasons;

"CWC letter enclosed with resubmitted letter and uploaded is differ".



WEB COPY



CrI.O.P.No.19694 of 2025

I further submit that, the same is rectified on the same day i.e, on 02.04.2025 and numbered as Spl.S.C.No22/2025 on 02.04.2025.

This submitted for your Honours kind persusal."

4. It is seen from the above report that the original charge sheet filed by the respondent police through e-filing was not in a proper format and therefore, the same had been returned by the learned Sessions Judge. However, the respondent police had not re-presented the same in a proper format with all particulars and it had been filed with several defects. Therefore, the same had been returned by the learned Sessions Judge for more than thrice. Finally, on 02.04.2025, the charge sheet has been re-presented after rectifying all the defects and the same has been taken on file by the learned Sessions Judge on 02.04.2025.



CrI.O.P.No.19694 of 2025

WEB COPY

5. In view of the above, the Director General of Police and the Commissioner of Police, George Town, Chennai are directed to give directions to all the Investigating Offices / Stations House Officers that the charge sheets have to be filed without any defects at once as much as possible.

6. Further, the Registrar General is directed to give directions to all the Magistrates/Specials Judges that they should scrutinize the charge sheets carefully and to take the same on file without any delay within a reasonable time. In case the charge sheet is filed with defects, all the defects should be pointed out at once. Neither the police nor the Magistrates return/re-present the charge sheet in a piecemeal manner.

7. Insofar as the present case is concerned, the learned Sessions Judge is directed to dispose of the case in Spl.SC.No.22 of 2025 within the time frame



Cr.O.P.No.19694 of 2025

as prescribed under Section 35 of POCSO Act.

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8. With the above directions, this Criminal Original Petition is disposed of.

29.07.2025

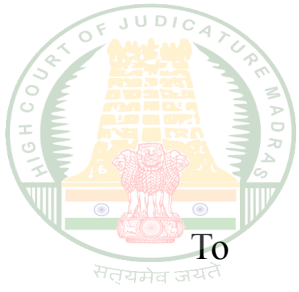
Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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Note: Registrar General is directed to forward the copy of this order to the Director General of Police and Commissioner of Police for strict compliance.



CrI.O.P.No.19694 of 2025

To

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1. The Sessions Judge,
Fast Track Mahila Court, Krishnagiri
2. Inspector of Police
All Women Police Station
Hosur Police Station
Krishnagiri District
3. The Public Prosecutor
High Court of Madras, Chennai.

Copy to:

The Registrar General
High Court of Madras, Chennai



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CrI.O.P.No.19694 of 2025

P.VELMURUGAN,J.

Ksa-2

CrI.O.P.No.19694 of 2025

29.07.2025